

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Victor Perez, as Special Administrator of
the Estate of Carlos Perez, deceased;
Victor Perez, as the Guardian Ad Litem
for S.E.P., a minor; Victor Perez, as the
Guardian Ad Litem for A.I.P., a minor;
and Myra Perez, individually

Case No. 2:15-cv-01572-APG-DJA

Order

Plaintiffs,

v.

State of Nevada, et al.,

Defendants.

Defendant Corrections Officer Trainee Raynaldo-John Ramos' moves to seal exhibits A and D in support of his motion for summary judgment. (ECF No. 151). No other party filed a response. However, Ramos' points and authorities are insufficient for this Court to find that the exhibits should be filed under seal.

Ramos bases his motion on Local Rule 10-5(b), the parties stipulated protective order (ECF No. 131), and the Court's order regarding filing under seal (ECF No. 133). But neither Ramos nor Defendant Nevada Department of Corrections (NDOC) has complied with this Court's order. (ECF No. 133). Ramos—as the party seeking to seal judicial records—has not explained why his motion meets the compelling reasons or good cause standard as required by the Court's order. (*Id.* at 2). And NDOC—as the party who has designated the documents confidential—has not filed a declaration establishing sufficient justification for sealing each document at issue or a notice of withdrawal of documents. (*Id.* at 3). Without either of these items, the Court cannot determine whether the documents should remain sealed.

The Court thus denies Ramos' motion without prejudice and maintains the documents under seal. The parties have until Monday, December 20, 2021 to file the items required by this

1 Courts' order. Specifically, Ramos should explain why the documents should be sealed under the
2 Ninth Circuit's directives in *Kamakana v. City and County of Honolulu* and *Center for Auto*
3 *Safety v. Chrysler Group, LLC*. NDOC should file a declaration providing sufficient justification
4 for sealing the documents they have labeled confidential. Neither of these items need to be
5 extensive but should give the Court a basis on which to make its decision.

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7 **IT IS THEREFORE ORDERED** that Ramos' motion to seal (ECF No. 151) is denied
8 without prejudice. The Clerk of Court is kindly directed to maintain ECF Nos. 148 and 149 under
9 seal pending Ramos' renewed motion and NDOC's declaration in support.

10 **IT IS FURTHER ORDERED** that Ramos shall have until Monday, December 20, 2021
11 to renew his motion to seal to comply with the directives in this Court's order (ECF No. 133).

12 **IT IS FURTHER ORDERED** that NDOC shall have until Wednesday, December 22,
13 2021 to file a declaration providing sufficient justification for sealing the documents.

14 **IT IS FURTHER ORDERED** that given the upcoming holidays the parties may stipulate
15 to extend these deadlines if necessary.

16 DATED: December 6, 2021

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19 DANIEL J. ALBREGTS
20 UNITED STATES MAGISTRATE JUDGE
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